

App. No. 10/073,670
Response Dated: October 31, 2005
Reply to Office Action of August 11, 2005

REMARKS/ARGUMENTS

Claims 1-22 are currently pending in this application. The Office Action dated August 11, 2005 rejected Claims 1-22. In view of the following remarks, reconsideration and allowance of all pending claims are respectfully requested.

The Office Action rejected Claims 1-19 under 35 U.S.C. 102(a) as being anticipated by Microsoft Corporation, "Draft: Discovery of Web Services (DISCO)" (hereinafter "the DISCO document"). The Office Action also rejected Claims 20-22 under U.S.C. 103(a) as being unpatentable over the DISCO document in view of U.S. Patent Publication No. 2003/0112270A1.

A declaration filed on June 7, 2005 under C.F.R. § 1.132 was deemed ineffective to overcome the DISCO document because the declaration did not provide evidence establishing that the author of the DISCO document derived her knowledge of the subject matter in the reference from the Applicants. The declaration was further deemed ineffective because the declaration did not provide evidence establishing that the Applicants invented the subject matter disclosed in the DISCO document. Attached at the Appendix hereto is a new declaration under 37 C.F.R. § 1.132 executed by each of the co-inventors that states that the DISCO document is the inventors' own work, an email thread establishing that the inventors provided the technical content to the author of the DISCO document, and a version of the DISCO document establishing that the content of the DISCO document corresponds to the inventors' own work.

The effective filing date of the present application is February 9, 2001 which is the filing date of a provisional application that the present application claims priority to. The DISCO document was first published in July 2000, less than one year before the effective filing date of the present application. Therefore, the DISCO document does not qualify as prior art under section 102(a). Reconsideration and removal of the rejection are therefore respectfully requested.

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CONCLUSION

In view of the foregoing remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

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